

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 11-2605

MERRILL LYNCH PIERCE FENNER & SMITH INCORPORATED,
Appellant

v.

CHERYL SCHWARZWAELDER

(W.D. Pa. No. 2-11-cv-00107 and No. 2-11-cv-00162)

Present: SLOVITER, RENDELL, and VANASKIE, Circuit Judges

ORDER

Upon careful consideration of the parties' written submissions and oral argument,
IT IS HEREBY ORDERED that the opinion and judgment entered August 13, 2012 in
the above captioned case are hereby reinstated.

By the Court,

/s/ Thomas I. Vanaskie
Circuit Judge

Dated: December 26, 2012
CJG/cc: Joseph H. Chivers, III, Esq.
Patricia A. Tsipras, Esq.
Lauren D. Rushak, Esq.
Michael J. Fortunato, Esq.